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July 15, 2016

BY E.C.F.

Honorable Steven L. Tiscione
United States Magistrate Judge
United States District Court
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

Re: Silver v. City of New York et al., 15-cv-3462 (ARR) (SLT)

Your Honor:

I am an Assistant Corporation Counsel in the Special Federal Litigation Division of the New York City Law Department and the attorney assigned to the defense of the above-referenced matter.¹ The undersigned writes to respectfully request that the Court stay this Office's deadline to respond to the Court's April 7, 2016 Order pursuant to Valentin v. Dinkins, 121 F.3d 72, 75-76 (2d Cir. 1997), from July 27, 2016 to a date after plaintiff has complied with the Court's Order to execute a validly executed § 160.50 release at the status conference scheduled for July 28, 2016.

By way of background, plaintiff's complaint alleges, *inter alia*, that on May 27, 2012 she was detained by unidentified police officers from the 111th Police Precinct, and that she was taken to the hospital against her will. On April 7, 2016, the Court Ordered this Office to ascertain the full names of the individual police officers involved in plaintiff's arrest on May 27, 2012. (See April 7, 2016 Order) On May 6, 2016, this Office filed a letter motion to compel plaintiff to provide this Office with a validly executed § 160.50 unsealing release by a date certain and a corresponding request for an extension of time to respond to the Court's Valentin Order. (See Docket Entry No. 12) By Order dated May 11, 2016, the Court directed plaintiff to

¹ The City of New York is not a defendant to this action as the Court dismissed it as a defendant by the Memorandum and Order dated December 14, 2015. (See Docket Entry No. 7.) Accordingly, the Office of the Corporation Counsel files this request merely as an interested party.

provide this Office with the requested release by May 30, 2016 and directed this Office to respond to the Court's Valentin Order by June 30, 2016. (See Docket Entry No. 13) By Order dated June 8, 2016, the Court directed plaintiff to provide this Office with the requested release by June 27, 2016 and directed this Office to respond to the Court's Valentin Order by July 27, 2016. (See Docket Entry No. 16)

On July 1, 2016, plaintiff filed a request for an extension of time to produce the validly executed § 160.50 release. (See Docket Entry No. 18) By Order dated July 14, 2016, the Court noted that plaintiff has failed to comply with Court Orders to provide a validly executed unsealing release to the defendants. (See Docket Entry No. 19) By the same Order, the Court scheduled an in-person conference to be held on July 28, 2016 and Ordered for defendants to bring the unsealing release for plaintiff to execute during the conference. (See Docket Entry No. 19) Thus, this Office will presumably not receive an unsealing release from plaintiff before that date. As such, the undersigned will be unable to obtain records related to the alleged incident to investigate and ascertain the identities of the officers who were present in order to respond to the Valentin Order.

In light of the above, this Office respectfully requests that the Court stay this Office's deadline to respond to the Court's Valentin Order from July 27, 2016 until a date after plaintiff has complied with the Court's July 14, 2016 Order to execute a validly executed § 160.50 release at the status conference scheduled for July 28, 2016.

Thank you for your consideration herein.

Respectfully submitted,

/s/

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cc: VIA ECF AND FIRST CLASS MAIL
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